

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MELISSA S. FENNER,

Plaintiff,

Case No. 21-cv-10180

v.

Paul D. Borman
United States District Judge

COMMISSIONER OF
SOCIAL SECURITY,

Jonathan J.C. Grey
United States Magistrate Judge

Defendant.

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ORDER

**(1) ADOPTING MAGISTRATE JUDGE GREY’S
JULY 25, 2022 REPORT AND RECOMMENDATION TO REMAND TO
THE COMMISSIONER (ECF NO. 17),
(2) GRANTING PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT
(ECF NO. 13),
(3) DENYING DEFENDANT’S MOTION FOR SUMMARY JUDGMENT
(ECF NO. 15), AND
(4) REMANDING FOR FURTHER PROCEEDINGS UNDER SENTENCE
FOUR OF 42 U.S.C. § 405(g) LIMITED TO THE AVAILABILITY OR NOT
OF WEEKEND INFUSIONS**

On July 25, 2022, Magistrate Judge Jonathan J.C. Grey issued a Report and Recommendation to GRANT Plaintiff’s Motion for Summary Judgment, DENY Defendant’s Motion for Summary Judgment, and REMAND the matter for further administrative proceedings under Sentence Four of 42 U.S.C. § 405(g), consistent with the Report and Recommendation. (ECF No. 17, Report and Recommendation.)

Having reviewed the Report and Recommendation, and there being no timely objections under 28 U.S.C. § 636(b)(1) and E.D. Mich. L.R. 72.1(d), the Court **ADOPTS** the Report and Recommendation (ECF No. 17), **GRANTS** Plaintiff's Motion for Summary Judgment requesting that the Court reverse the decision of the Administrative Law Judge under Sentence Four of 42 U.S.C. § 405(g) (ECF No. 13), **DENIES** Defendant's Motion for Summary Judgment (ECF No. 15), and **REMANDS** the matter for further proceedings under Sentence Four of 42 U.S.C. § 405(g), limited to the issue of availability or not of weekend infusions.

IT IS SO ORDERED.

s/Paul D. Borman
Paul D. Borman
United States District Judge

Dated: August 10, 2022